

**REMARKS**

The Examiner rejected claims 7-11 under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement.

The Examiner rejected claims 7-11 under 35 U.S.C. §102(b) as allegedly being anticipated by Lee et al. (6,074,940).

The Examiner rejected claims 18-20 under 35 U.S.C. §102(b) as allegedly being anticipated by Daubenspeck et al. (6,440,834).

Applicants respectfully traverse the §112 and §102 rejections with the following arguments.

**35 U.S.C. §112**

The Examiner rejected claims 7-11 under 35 U.S.C. 112, first paragraph. The Examiner alleges that "[t]here is no support in the disclosure and in the drawings for two mesas over the fuse link and directly over the two vias, as recited in claim 7." In response, Applicants have amended claim 7. Applicants contend that there is support in the disclosure and in the drawings for the "first and second mesas directly over the fuse link and directly over the first and second vias, respectively", as recited in claim 7. More specifically, the "first and second mesas" of claim 7 are supported by the two mesas 220a and 220b of FIG. 4 of the application. In FIG. 4, the two mesas 220a and 220b are directly over the fuse link 210' and directly over the two vias 120a and 120b, respectively. As a result, Applicants maintain that claim 7 does not fail to comply with 35 U.S.C. 112, first paragraph and that claim 7 is in condition for allowance. Since claims 8-11 depend from claim 7, Applicants contend that claims 8-11 are likewise in condition for allowance.

Examiner rejected claim 8 under 35 U.S.C. 112, first paragraph. The Examiner alleges "[t]here is no support in the disclosure and in the drawings for a second dielectric layer over the fuse link and beneath the two mesas, as recited in claim 8." In response, Applicants have amended claim 8. Applicants contend that there is support in the disclosure and in the drawings for the "second dielectric layer **directly over** the fuse link, ...such that first and second regions of the second dielectric layer are **directly beneath** the first and second mesas, respectively" as recited in claim 8 (bold emphasis added). More specifically, the second dielectric layer of claim 8 is supported by the dielectric (silicon nitride in one embodiment) region 815' of FIG. 8E of the

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application. In Fig. 8E, the dielectric region 815' is directly over the fuse link 810' and two regions (left and right ends) of the dielectric region 815' are directly beneath the two mesas 825a,830a and 825b,830b. As a result, Applicants maintain that claim 8 does not fail to comply with 35 U.S.C. 112, first paragraph and that claim 8 is in condition for allowance.

**35 U.S.C. §102(b)**

The Examiner rejected claims 7-11 under 35 U.S.C. §102(b) as allegedly being anticipated by Lee et al. (6,074,940).

Applicants respectfully contend that Lee does not anticipate claim 7, because Lee does not teach each and every feature of claim 7. For example, Lee does not teach the feature “the fuse link **electrically connecting** the first and second vias” of claim 7 (bold emphasis added). More specifically, in FIG. 2A of the Lee patent, the fuse portion 40 is electrically insulated from the two vias 20 by the dielectric layer 35 and the insulating layer 15.

Based on the preceding arguments, Applicants respectfully maintain that Lee does not anticipate claim 7, and that claim 7 is in condition for allowance. Since claims 8-11 depend from claim 7, Applicants contend that claims 8-11 are likewise in condition for allowance.

Moreover, regarding claim 8, the Lee patent does not teach the feature “first and second regions of the second dielectric layer are **directly beneath** the first and second mesas, respectively” of claim 8 (bold emphasis added). More specifically, in FIG. 2A of the Lee patent, no portion of the conductor layer 30 is directly beneath any mesa. Based on the preceding arguments, Applicants respectfully maintain that Lee does not anticipate claim 8, and that claim 8 is in condition for allowance.

The Examiner rejected claims 18-20 under 35 U.S.C. §102(b) as allegedly being anticipated by Daubenspeck et al. (6,440,834).

Applicants respectfully contend that Daubenspeck does not anticipate claim 18, because Daubenspeck does not teach each and every feature of claim 18. For example, Daubenspeck does not teach the feature “first and second regions of the first and second oxygen-getter shields, respectively, are **directly over the fuse link**” of claim 18 (bold emphasis added). More specifically, in FIG. 1(f) of the Daubenspeck patent, no portion of the “first and second oxygen-getter shields” 16a and 16b is directly over the fuse 26.

Based on the preceding arguments, Applicants respectfully maintain that Daubenspeck does not anticipate claim 18, and that claim 18 is in condition for allowance. Since claims 19-20 depend from claim 18, Applicants contend that claims 19-20 are likewise in condition for allowance.

**CONCLUSION**

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account 09-0456.

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